

## IN THE CLAIMS

Please **cancel** non-elected claims 2-11 without prejudice to or disclaimer of the subject matter contained therein.

Please **amend** the claims as follows:

94 1. (Currently amended) A substantially purified nucleic acid molecule that encodes a maize or a soybean adenine phosphoribosyl transferase or fragment thereof, wherein said nucleic acid molecule comprises a nucleic acid sequence of SEQ ID NO: 5.

Please **add** the following new claims:

12. (New) A substantially purified nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 5 or complement thereof.

37 13. (New) The substantially purified nucleic acid molecule according to claim 12, wherein said nucleic acid molecule consists of a nucleic acid sequence of SEQ ID NO: 5 or complement thereof.

14. (New) A substantially purified nucleic acid molecule having between 90% and 100% sequence identity with a nucleic acid molecule of SEQ ID NO: 5 or complement thereof.

15. (New) The substantially purified nucleic acid molecule of claim 14, wherein said substantially purified nucleic acid molecule has between 95% and 100% sequence identity with SEQ ID NO: 5 or complement thereof.

16. (New) The substantially purified nucleic acid molecule of claim 15, wherein said substantially purified nucleic acid molecule has between 98% and 100% sequence identity with SEQ ID NO: 5 or complement thereof.

17. (New) The substantially purified nucleic acid molecule of claim 16, wherein said substantially purified nucleic acid molecule has between 99% and 100% sequence identity with SEQ ID NO: 5 or complement thereof.

18. (New) A substantially purified first nucleic acid molecule that encodes a maize or a soybean adenine phosphoribosyl transferase or fragment thereof which specifically

hybridizes to a second nucleic acid molecule, the second nucleic acid molecule comprising a nucleic acid sequence of SEQ ID NO: 5 or complement thereof.

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19. (New) The substantially purified first nucleic acid molecule according to claim 18 wherein said substantially purified first nucleic acid molecule comprises a nucleic acid sequence of SEQ ID NO: 5 or complement thereof.

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